

# The New York County Lawyers' Association: Moving A Great Tradition Forward

*The Editor interviews Catherine A. Christian, Counsel for Special Projects, Office of the Special Narcotics Prosecutor for the City of New York, and President of the New York County Lawyers' Association.*

**Editor:** Ms. Christian, would you tell our readers something about your professional experience?

**Christian:** I have been a prosecutor for 15 years. I started my career in the Manhattan District Attorney's Office. After six years I became a defense attorney, although I did some real estate closings and matrimonial work for about two years. I then went to work for the New York State Commission of Investigation, following which I worked for the supervising judge of the Bronx Criminal Court. For the past eight years I have been with the Manhattan DA's office assigned to the Office of the Special Narcotics Prosecutor.

**Editor:** You have recently changed jobs at the Office of the Special Narcotics Prosecutor. What does being Counsel for Special Projects entail?

**Christian:** My previous title was Director of Legal Staff Training. The Special Narcotics Prosecutor promoted me to Counsel for Special Projects because it more accurately reflects what I have been doing for the past three years. This entails managing an increasing volume of litigation on numerous legal issues, most particularly resentencing. In this capacity I came to be the person designated to handle a number of special projects. Earlier this year the Special Narcotics Prosecutor determined that my title should reflect what I had been doing as counsel for a wide range of special projects.

I have been in the criminal justice field since I left law school. All of the positions I have held over the years have involved criminal issues. I think I have developed a breadth of experience in this area that enables me to work on a variety of special projects that have criminal law as a common denominator.

**Editor:** What attracted you to NYCLA? Were there particular NYCLA commitments or undertakings that resonated with you?

**Christian:** I came to NYCLA as a law student. I was working for a small firm on the Upper West Side, where one of the partners was a longtime NYCLA member and continues to be a member. I found NYCLA to be a very welcoming place, and as soon as I became a lawyer I became involved in committee work. In time I was appointed chair of the Committee on Minorities and the Law. With the support of the committee members and the NYCLA leadership at the time, that committee put on a number of forums and engaged in a wide range of activities on issues – civil rights, networking for young attorneys, a minority internship program, which places interns with judges, and the like. Since the chair of the committee directs and runs the committee's programs, I was extremely



Catherine A. Christian

busy for three years.

NYCLA has enabled me to engage in a great many activities that I would not have been able to do as a prosecutor. And, of course, I have been able to meet lawyers who are not prosecutors. Here I have relationships with criminal defense lawyers that are very different from the relationship we have during a case. NYCLA represents an opportunity for all members to connect with a broad spectrum of the legal community.

**Editor:** Becoming president of NYCLA is not something that just happens. What has led to your becoming president of the organization?

**Christian:** I would have to say that if a person works hard, he or she is going to be rewarded. I have been an active committee member and chair, leading to task force and special committee appointments and, eventually, to the Board of Directors. Being active as a board member, and working with a number of NYCLA presidents, led to a three-year assignment as chair of the Committee on Committees, which acts as a liaison to all of the organization's committees. That gave me a broad perspective on NYCLA and its work. I was then asked to submit my name to the Nominating Committee as vice president. That position puts you in line to become president-elect and then president.

**Editor:** Each president of NYCLA comes into office with things that he or she wishes to accomplish during their term of office. What is on your agenda?

**Christian:** I do not have a personal agenda. I have an NYCLA agenda. My goal is to continue the great work that this organization – which is celebrating its Centennial – has done for the past 100 years.

In this regard, my interest continues to be in children and pro bono activities. We are going to expand our Pro Bono Committee and our pro bono programs. That is a promise that I am making.

Providing free services to the indigent and people who may be employed but who cannot afford legal representation is very important to NYCLA. Under my presidency we will continue to help

the elderly and others in need of guardians, people in Housing Court, people who cannot afford a divorce attorney. We intend to focus on those issues more extensively.

For youth, we have an active law-related education program. For over two decades, thanks to the Hon. Richard Lee Price, this has been a signature program for NYCLA, and it will continue. This past year we issued the NYC Youth Law Manual through our Justice Center. It addresses legal rights in every area of our legal system, and it is distributed to teachers and high school students interested in the law throughout the NYC public school system. In June we held a conference for students and teachers at Pace University based on the Manual.

**Editor:** Would you tell us about NYCLA's pro bono opportunities?

**Christian:** The Article 81 Guardianship Project is our newest project. This is a project to help court-appointed guardians who are not lawyers handle the property management and personal needs of people who are incapacitated or who have either minimal or no assets. We have volunteer attorneys who provide the basic counseling, and they assist in preparing and maintaining the documentation flow necessary to the process. We will continue to staff this project, and we are recruiting more attorneys so as to expand it. The needs are there.

The Elder Law Project helps elderly (over the age of 62) citizens of New York City with their estate planning and in drafting wills, living wills, powers of attorney, and so on. It is for people who cannot afford an attorney. They may have some financial means but not enough to be able to afford an attorney.

The Legal Counseling Project takes place three times a month by appointment only. We provide counseling on a variety of legal issues concerning employment, consumer bankruptcy, landlord/tenant law, and family law. There is no representation but rather the program provides counseling in those areas.

The Uncontested Divorce Project provides both counseling and representation for low-income individuals seeking a divorce. Many have been victims of domestic violence, and our attorneys help them in obtaining a divorce. These are cases where both parties agree to the divorce, and we are engaged in counseling them to that end.

**Editor:** NYCLA and the City Bar Association and the Bronx County Bar Association have come together to establish the Joint Committee on Fee Disputes and Conciliation. What is the origin of this project?

**Christian:** The mandated program now in effect is an Office of Court Administration project that NYCLA is spearheading and staffing. It is an ongoing undertaking involving, on a daily basis, two to four arbitrations. Counsel who have disputes involving fees between \$1,000 and \$50,000 come here in lieu of

going to court, and last year alone we closed 266 cases. We take great pride in what has turned out to be a very successful undertaking.

**Editor:** The last time we spoke you expressed your concern for indigent representation in civil matters. What is NYCLA doing on this issue?

**Christian:** I am very proud that NYCLA continues to take the lead on this issue. In 2006 our Board formally adopted a position that there should be a right to counsel for the indigent in housing court. The overwhelming majority of litigants in housing court appear pro se. In light of the crucial importance of housing to a person's well-being, and of the extraordinary complexity of the laws that govern this area, we believe that a person should have an attorney assigned to the case if he or she cannot afford one.

We came to this conclusion after considerable analysis and research. One of the three reports that we issued focusing on the New York City Housing Court was in support of a right to counsel, adequately supported with public funds. I think everyone now accepts the proposition that a person charged with a crime should be entitled to legal representation. I do not think the public is aware of the fact that in other key areas – health-care, child custody, housing, and so on – a person does *not* have the right to be assigned an attorney if he or she cannot afford one. NYCLA will continue to speak out on this issue.

**Editor:** And the discussion on compensation of public defenders?

**Christian:** Seven years ago NYCLA initiated a lawsuit that brought about legislative changes that raised in-court compensation from \$40 per hour to \$75 per hour. This rate is still much too low, and it discourages attorneys from taking on these cases. Needless to say, the impact on clients was, and is, horrendous. They are not getting the representation that they are entitled to by law, and until that changes, NYCLA will continue to take the lead on this issue.

**Editor:** I know you have just started your term of office, and that these are early days. However, what would you like your leadership of NYCLA remembered for?

**Christian:** I recently had the opportunity to re-review our mission statement. Part of our mission is to increase diversity in the legal profession, to advocate for judicial independence, to promote access to justice for everyone and to provide access to continuing legal education to the profession. I hope that at the end of my term people will say that Catherine Christian continued to contribute to the hundred years of NYCLA excellence by advancing the organization in all of these areas. That is why, when we started our discussion, I said that my agenda was to continue the work that NYCLA has done so well over the past century. To be regarded as having done so would be the greatest compliment.